

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):

MCCULLOGH & ASSOCIATES, APC  
4275 EXECUTIVE SQUARE, SUITE 940  
LA JOLLA, CA 92037

FOR COURT USE ONLY

FILED

08 MAR 11 PM 2:57

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

JMO

DEPUTY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF:

STREET ADDRESS: 880 FRONT STREET

MAILING ADDRESS:

CITY AND ZIP CODE: SAN DIEGO, CA 92101

BRANCH NAME:

PLAINTIFF/PETITIONER: J. FLAXEL

DEFENDANT/RESPONDENT: SIMPSON, PEARSON ET AL

CASE NUMBER:  
08CV0200LNLS

Ref No. or File No.

OP117775-01/FLAXELSIMPSON

**PROOF OF SERVICE OF SUMMONS***(Separate proof of service is required for each party served)*

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the summons and

e. other (specify documents):

SUMMONS AND COMPLAINT; CIVIL COVER SHEET;

3. a. Party Served: (specify name of party as shown on the documents served):

DENNIS PEARSON, AN INDIVIDUAL AND AS OFFICER AND DIRECTOR OF  
CORPORATE ENTITIES

b. Person Served: SIMY PEARSON, CO-TENANT

4. Address where the party was served: 13722 TRENTON PLACE  
SAN DIEGO, CA 92130

5. I served the party (check proper box)

b. by substituted service. On (date): February 26, 2008 at (time): 07:20 am I left the documents listed in item 2  
with or in the presence of (name and title or relationship to person indicated in item 3b):

SIMY PEARSON, CO-TENANT

**Physical Description:**

AGE: 35

HAIR: BLK

HEIGHT: 5'7

RACE: CAUC

SEX: F

EYES:

WEIGHT: 120

- (2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
- (4) a declaration of mailing is attached
- (5) I attach a declaration of diligence stating actions taken first to attempt personal service.

PETITIONER: J. FLAXEL	CASE NUMBER: 08CV0200LNLS
RESPONDENT: SIMPSON, PEARSON ET AL	

6. The "Notice to the Person Served" (on the summons) was completed as follows:  
 a. as an individual defendant

7. Person who served papers

- a. Name: BRIAN S. ARTHUR
- b. Address: 3500 5th. AVE. SUITE 202, SAN DIEGO, CA 92103
- c. Telephone: (619) 299-2012
- d. The fee for service was: \$ 54.45
- e. I am: (3) a registered California process server
  - (i) INDEPENDENT CONTRACTOR
  - (ii) Registration No.: 326
  - (iii) County : SAN DIEGO

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 4, 2008

BRIAN S. ARTHUR

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHALL)

(SIGNATURE)

  
Page 2 of 2

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) MCCULLOUGH & ASSOCIATES, APC 4275 EXECUTIVE SQUARE, SUITE 940 LA JOLLA, CA 92037		TELEPHONE (858) 457-2900	FOR COURT USE ONLY
ATTORNEY FOR (NAME)		REFERENCE NUMBER OP117775-01	
Insert name of court, judicial district or branch court, if any, and post office and street address U.S. DISTRICT COURT, SOUTHERN DISTRICT 880 FRONT STREET SAN DIEGO, CA 92101			
SHORT NAME OF CASE J. FLAXEL vs. SIMPSON, PEARSON ET AL			
DECLARATION OF DILIGENCE	DATE:	TIME:	DEPT/DIV: CASE NUMBER: 08CV0200LNLS

I received the within process on February 20, 2008 and that after due and diligent effort I have been able to effect service on the within named party at the following address. However, extraordinary efforts were required to effect service as described below.

Name: DENNIS PEARSON, AN INDIVIDUAL AND AS OFFICER AND DIRECTOR OF CORPORATE ENTITIES

Home: 13722 TRENTON PLACE  
SAN DIEGO, CA 92130

As enumerated below:

02/22/08	07:15 am	NO ANSWER AT DOOR (RESIDENCE). STREET NAME IS TRENTO.
02/23/08	10:25 am	NO ANSWER AT DOOR (RESIDENCE).
02/24/08	08:10 pm	NO ANSWER AT DOOR. LIGHTS ON INSIDE OF THE RESIDENCE.
02/26/08	07:20 am	SUBSTITUTED SERVICE. RECIPIENT INSTRUCTED TO DELIVER DOCUMENTS TO NAMED DEFENDANT.

Fee for service: \$ 54.45

JUDICIAL COUNCIL FORM, RULE #982 (A)(23)

Registered: . . . . . SAN DIEGO . . . . . County,  
Number: . . . . . 326 . . . . .

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed

on: . . . . . March 4, 2008 . . . . .  
at: . . . . . SAN DIEGO . . . . ., California.

ADVANCED ATTORNEY SERVICES, INC.  
3500 5th Avenue, #202, San Diego, CA 92103  
(619)299-2012

Signature: \_\_\_\_\_  
Name: BRIAN S. ARTHUR  
Title: INDEPENDENT CONTRACTOR

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS) MCCULLOUGH & ASSOCIATES, APC 4275 EXECUTIVE SQUARE, SUITE 940 LA JOLLA, CA 92037		TELEPHONE (858) 457-2909	FOR COURT USE ONLY	
ATTORNEY FOR (NAME)		REFERENCE NUMBER OP117775-01		
Insert name of court, judicial district or branch court, if any, and post office and street address U.S. DISTRICT COURT, SOUTHERN DISTRICT 880 FRONT STREET SAN DIEGO, CA 92101				
SHORT NAME OF CASE J. FLAXEL vs. SIMPSON, PEARSON ET AL				
DECLARATION OF MAILING	DATE:	TIME:	DEPT/DIV:	CASE NUMBER: 08CV0200LNLS

I am a citizen of the United States and employed in the County of San Diego, California. I am over the age of 18 and not a party to this action. My business address is 3500 Fifth Avenue, #202, San Diego, CA 92103

On February 26, 2008, after substituted service under section CCP 415.20 (A) or 415.20 (B) or FRCIV.P 4(D)(1) was made, I mailed copies of the:

SUMMONS AND COMPLAINT; CIVIL COVER SHEET;

to the defendant in said action by placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at SAN DIEGO, California, addressed as follows:

**DENNIS PEARSON, AN INDIVIDUAL AND AS OFFICER AND DIRECTOR OF  
CORPORATE ENTITIES  
13722 TRENTON PLACE  
SAN DIEGO, CA 92130**

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct and this declaration was executed on March 4, 2008 at San Diego, California.

**Fee for service: \$ 54.45**

JUDICIAL COUNCIL FORM, RULE #982 (A)(23)

Registered: . . . . . San Diego . . . . . County,  
Number: . . . . . 1249 . . . . .

I declare under penalty of perjury that the foregoing is true and correct  
and that this declaration was executed  
on: . . . . . March 4, 2008 . . . . .  
at: . . . . . San Diego . . . . . California.

**ADVANCED ATTORNEY SERVICES, INC.  
3500 5th Avenue, #202, San Diego, CA 92103  
(619)299-2012**

Signature: \_\_\_\_\_  
Name: R. Mericle  
Title: Employee